



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------|-------------|----------------------|---------------------|------------------|
| 09/847,067 | 04/30/2001 | Brian T. Murren | GE1-005US | 4549 |
| 21718 | 7590 | 09/05/2007 | EXAMINER | |
| LEE & HAYES PLLC | | | SINGH, RACHNA | |
| SUITE 500 | | | | |
| 421 W RIVERSIDE | | | ART UNIT | PAPER NUMBER |
| SPOKANE, WA 99201 | | | 2176 | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 09/05/2007 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhpto@leehayes.com

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/847,067

Applicant(s)

MURREN ET AL.

Examiner

Rachna Singh

Art Unit

2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 August 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 6 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☒ The Notice of Appeal was filed on 17 August 2007. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


08/30/07

Continuation of 11. does NOT place the application in condition for allowance because: With respect to claims 1 and 30, Applicant argues Kougiouris does not disclose creating code for one or more forms. Examiner disagrees. Kougiouris discloses that Graphical user interfaces (GUIs) often include text fields for accepting text input or displaying text output. For example, graphical user interfaces may comprise a "form", that is a series of text fields with a look and feel similar to a paper-based form. Many text fields are designed to accept text input or display text output that is often formatted or demarcated in a particular way. See page 1, paragraphs [0005]. The user may provide text input to the GUI element which is validated by the manager before it is displayed in HTML form. See page 5, paragraph [0070]-[0075]. The graphical user interfaces can be created from markup languages such as HTML or XML-derived markup language descriptions. Markup languages such as XML or HTML provide the code for creating a graphical user interface. Applicant argues the act of displaying a form does not create the code for a form. Examiner disagrees because the form is displayed using code. See page 1, paragraphs [0010]-[0011]. Furthermore, Examiner disagrees that Kougiouris's presentations already exist and does not create the code for the forms because the forms accept input from a user and display the output based on the input. In other words, after input is accepted from a user, the HTML form is generated which requires the creation of code.

With respect to claims 11, Applicant argues Kougiouris does not teach checking, for each identified method that sets a value, whether a corresponding identified method obtains the value. Examiner disagrees. Kougiouris teaches the user may perform various other actions causing the application to check the text, such as issuing a command to submit the data the user has entered to a database, or perform other types of transactions using the data. See page 8, paragraph [0125]. Kougiouris discloses the user may provide text input to the GUI element which is validated by the manager before it is displayed in HTML form. See page 5, paragraph [0070]-[0075]. See also figures 5A-5C which illustrate a data input field for inputting a value for the attributes. The user may also perform various other actions causing the application to check the text, such as issuing a command to submit the data the user has entered to a database, or perform other types of transactions using the data. See page 8, paragraph [0125]. Kougiouris discloses outputting the attributes in a form such as an HTML form in which the various attributes are listed. See figures 5A-5C. Compare to "checking. . method obtains a value, and identifying, as an attribute. . .outputting an identification of the set of one or more attributes". Applicant argues Kougiouris' validation operation does not pertain to the method that sets a value, determines whether a corresponding method obtains a value. Examiner disagrees because Kougiouris' validation operations is determining if there was a previously set value which determines if there was a method that previously obtained the value.

With respect to claim 14, Applicant argues there is no generation of a list identifying a set of one or more outputs and outputting the list. Examiner respectfully disagrees. Kougiouris discloses outputting the attributes in a form such as an HTML form in which the various attributes are listed. See figures 5A-5C. Outputting the attributes in a form is "outputting the list of outputs". The said identifying one or more outputs of a computer program is an analysis of the computer code. Applicant argues this is not done independent of execution of the computer program. The claim recites "accessing a computer program; identifying a set of one or more outputs of the computer program". It is unclear how the output of a computer program can be analyzed without execution of the program. Clarification is requested.